



Christian County Commission

100 West Church St, Room 100
Ozark, MO 65721

<http://ChristianCountyMO.iqm2.com>

July Term

~ Minutes ~

Thursday, October 1, 2015

8:50 AM

The Christian County Courthouse

I. Convene

The meeting was called to order at 8:50 AM by Presiding Commissioner Ray Weter

Attendee Name	Title	Status	Arrived
Ray Weter	Presiding Commissioner	Present	8:50 AM
Bill Barnett	Western Commissioner	Present	8:50 AM
Sue Ann Childers	Eastern Commissioner	Present	8:50 AM
Mary Argiso	Deputy County Clerk	Present	8:50 AM

II. Agenda

Motion/Vote - 8:50 AM Christian County Commission

Discussion - Approve Agenda

The meeting was attended by Commission Secretary Cheryl Mitchell, Highway Engineer Miranda Beadles and C1 Supervisor Richard Teague.

The Commission met to approve the agenda for October 01, 2015.

Commissioner Weter entertained a motion to approve the agenda.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Bill Barnett, Western Commissioner
SECONDER:	Sue Ann Childers, Eastern Commissioner
AYES:	Ray Weter, Bill Barnett, Sue Ann Childers

Motion/Vote - 8:55 AM Kay Brown-County Clerk

Minutes & Financials Approval - Approve Minutes & Financials

The meeting was attended by Commission Secretary Cheryl Mitchell, Miranda Beadles, Richard Teague.

The Commission met to approve minutes and financials.

Commissioner Weter entertained a motion to approve the minutes for September 24, 2015.

There were no financials.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Sue Ann Childers, Eastern Commissioner
SECONDER:	Bill Barnett, Western Commissioner
AYES:	Ray Weter, Bill Barnett, Sue Ann Childers

Motion/Vote -

- Motion to Approve 9/28/15 Minutes

Commissioner Weter entertained a motion to approve the regular session minutes for September 28, 2015.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Sue Ann Childers, Eastern Commissioner
SECONDER:	Bill Barnett, Western Commissioner
AYES:	Ray Weter, Bill Barnett, Sue Ann Childers

Motion/Vote - 9:00 AM Miranda Beadles-Highway Administrator

Discussion - Keltner Road Update

The meeting was attended by Commission Secretary Cheryl Mitchell, Highway Engineer Miranda Beadles, C1 Supervisor Richard Teague, Charles & Rosa Robbins, Rick & Beth Smith, Ben Hurd, Bill & Liz Josephson, C2 Supervisor Brent Young, Julia & Andrew Tiedemann.

The Commission met with Ms. Beadles to discuss the Keltner Road Update.

Ms. Beadles began by stating Keltner road is currently down to one lane. The Roadway issues are as listed: 1. Continuous Flooding 2. Road & Material washed out actually lowered the road. 3. Concrete slab repairs. 4. Material Deposits by Swan Creek 5. Grading without new material.

The County Progress: Bid has been created for repairs, complying with FEMA for slab repairs and material replacement. Grading to open road for vehicles.

Future Plans: *Work with USDA/NRCS for technical assistance and financial assistance.

*Restore banks between roadway and Swan Creek *Remove "islands" created by Creek and restore natural flow *Reinforce existing and new banks with Gabions *Once banks/barriers are placed, then we can provide material to raise the grade off the road

Commissioner Weter asked will the road be elevated? Ms. Beadles said we will have to elevate the road later in the future, and it is very costly. Commissioner Weter how will we qualify for a bench mark? Ms. Beadles said the damage done by the flood is offered to be repaired by FEMA, USDA will inform us what they will pay and what we can do. There's other improvements we want to do however its up to USDA with what kind of funding will be provided. Commissioner Weter asked will FEMA consider any mitigation? Ms. Beadles said our best bet is thru USDA, I will ask both FEMA & USDA regarding mitigation.

Commissioner Barnett said it sounds like a good plan to me. Commissioner Weter asked is there a time factor? Ms. Beadles first will be the FEMA repairs, 2. As for the bank and restoration we will do in the fall or spring, 3. We will get the material that was lost for the bank restorations. Ms. Beadles we will see how the season rain events are to determine where to go. A Citizen thanked Ms. Beadles for her concerns, and agreed with her solutions. Mr. Charlie Robins a citizen stated that there are rumors about making Keltner road a dead end road, the road is a one lane road, and we need access, so please do not completely close Keltner road. Commissioner Weter said we have no

intension to close the road. A Citizen noted to Ms. Beadles the creek water runs underground so how deep will you plant the barriers? Ms. Beadles we will dig deep enough, and we do have Gabions in different sizes. A Citizen said I live north south of the bridge, and since I've lived there in the last 15 years we've seen the County repair the road twice, we now see exposure of the damage and the water level rising up to 2 feet which should be lower. The river rock has now moved up into the area and by raising the bridge it has caused an increase of flooding. Another Citizen noted there were Barriers placed on my property however when the 2nd rainfall happened it caused a dam 10 yards into my driveway, how do I get relief for the damage done? A Citizen said we need to establish a positive plan and the corrections are to be done one at a time, we are dealing with the creek for now, and the Gabion seems to be effective. A Citizen asked is there any re-routing of the road? Ms. Beadles said we are considering to move part of the road, however there's the cost to consider. A Citizen said I understand the project looks straight forward in one section, but the other section is not the County's road it belongs to the federal government, and there's not an easement into the national forest. A citizen asked what do we do with Keltner Rd, whenever we have a flood it gets repaired but the damage keeps recurring. Ms. Beadles said we need the right materials to repair the road. A Citizen asked if we can we reroute by getting an easement. Commissioner Childers said we have spoken with Randy and he wants to sell his 85 acres to the County. A Citizen said we just want a gravel road to just get by, and not have to back up on the road every time to get thru when two vehicles pass. A Citizen noted the purpose for the road repairs helps us over all, there is limited access for the utilities repairmen, police, ambulance, etc... Ms. Beadles said there are things we can do and will consider to repair with whatever means we currently have available. Commissioner Weter said we would like to make progress, I think Ms. Beadles has a plan and with the federal dollars it can be applied towards this problem. A Citizen asked will the bridges be repaired? Ms. Beadles said FEMA will repair the bridge's concrete damage. A Citizen asked will the road be passable this year? Ms. Beadles said yes. A Citizen noted the creek is ready to change. Ms. Beadles said we want to work with the Conservation department, to make sure the road meets the slab. A Citizen asked if the cement barriers block access? Ms. Beadles said no.

Commissioner Weter concluded the meeting and thanked everyone.

Motion/Vote - 10:00 AM Christian County Commission

Discussion - Fairview Road Petition Decision

The meeting was attended by Commission Secretary Cheryl Mitchell, Counselor John Housley, C-1 Supervisor Richard Teague, Reporter Amelia Wigton, C-2 Supervisor Brent Young, Highway Engineer Miranda Beadles, Mr. John Derby, Mr. Denton Hicks, George and Sue Schreiner, Faye and Kenneth Rantz, Mr. Lee Porter, Ms. Kasha Driskill, Mr. Brian Loula, and Ms. Jamin Brown. Chief Deputy Clerk Norma Ryan is taking the minutes.

The Commission met with Reid and Kelli Roberts and Bryan Fisher with Neale & Newman regarding vacating a portion of Fairview Road. Commissioner Weter said we have had one hearing regarding the closing of a portion of Fairview Road. We are in the

first meeting of the following quarter to consider whether we are going to grant the petition to close the road. We have received letters and phone calls pro and con regarding the issue. From the public safety sector and from some of the citizens and postal service it appears there would be an additional cost to all of them, they would have to move mail boxes and have safe turn around spots. There are various letters from constituents. Ms. Kasha Driskoll commented that there are concerns about response times. Closing the road will be a public safety issue. Commissioner Weter asked her to expand. She said it would limit the access to the Chadwick area and increase their response times. If 125 is shut down then there is no other alternative to but to use Fairview road. Commissioner Weter said in his conversations with the sheriff, there is also concern for response times. Chadwick Fire said it is the only access if 125 is closed and they assist Sparta in fighting fires. A gate with a key isn't a solution. Locks rust, keys get lost etc. They look at the road as an insurance policy. It is there if they need it. Mr. Robert said no-one took Fairview when there was a fire. A citizen said if her house catches on fire she doesn't want to rely only on Sparta. Mr. Roberts said he would like to turn it over to attorney Bryan Fisher. He said the concerns presented to the commission are worthy and at least pause for thought. Correspondence from his office was delivered yesterday. At the first meeting there was only one time when 125 was closed in the last 20 years. The people took it for convenience. The issue is that the county is spending thousands to maintain Fairview and when there was a fire they didn't use that road. The county spends more on grading and filling when it rains than the post office spends in gas. It is a matter of practicality. At what point do you say the people shouldn't have to deal with trash, ponds drained, carcasses. The position is the road doesn't meet county standards and at what point does the county say enough is enough. Last year the Roberts had to pull 3 emergency vehicles out of the ditch, it is costing the county far more than it is worth. Mr. Jamin Brown asked if we are telling them they can't use the road. As far as the condition of the road he drove his car and didn't have any issues. They are trying to say no ambulances then they said there were 3 pulled out. Kasha touched on the gate issue. There are gates at Fremont Hills and they have yelp boxes, they fail and they have delayed response times because of the gates. A citizen said he does not live on Fairview but he has neighbors that it would affect. He doesn't agree with the gates. The county spent a lot of money and it is a nice road. To close it is a mistake. Ray asked about game cameras that were going to be put up. The DNR stated they were going to put up cameras. They deemed the area too fast and didn't have the resources to put the cameras up. Mr. Fisher said the Roberts are bearing's the burden of cleaning up the trash. They have taken it upon themselves to clean it up. The county is spending money to maintain and bring up to standard and clean up the trash. In addition to the money the county is spending, the road is being used for activities that are illegal. A citizen asked how they know that it is rarely used. Jamin asked why the Roberts haven't put up the cameras. Mr. Roberts said they could but they prefer not to answer. No one is disputing that the road is used to dump trash. Mr. Fisher said it is a burden. Commissioner Weter asked about the Shannon county case. Mr. Fisher explained Ard vs. Shannon County Commission was a case coming from Shannon County. In that case the commission said yes they are going to vacate. It does require clear evidence that the road is useless. It doesn't mean it isn't used. The road

doesn't meet road standards, it washes out. It is a matter that the county is justified in closing the road. The cost outweighs the use of the road. If you compare Fairview Road with the Shannon County case, it is the same. If we were to say there is no circumstance that the County would need to keep the road open that would be a lie. Commissioner Weter said in our previous meeting a person said they would be willing to form a group and pick up the trash. Mr. Fisher said the trash has been an ongoing issue and no one has picked it up. John Housley said the only thing he would say would be to follow the statutory framework 228.110 in closing the road. Each case is determined by applying the facts to the statute. There must be a finding that the road is useless and repairing the road is an unreasonable burden upon the county. The Ard case discussed the word useless. You need to apply the ordinary term. They talked about two other cases. What is going on with the road? One was a continued use of the road. In the Ard case there wasn't anyone using the road. The other cases people use the road. Would it be a serious inconvenience to the public. The road in the Ard case was impassable and dangerous. Here you need to make the decision by applying the statute. Is it useless and does it apply a burden on the commission? Mr. Fisher referenced that the county road is graded once a year and was impassable and would only stay good for a little while. That is what is going on with this road. It is passable because the county continues to spend money. Ray said there are a lot of roads in the county similar to this road and we have spent a lot more money on some of these other roads. Richard Teague said this road doesn't cost any more to maintain than any other road. The only odd thing with this road is the trash. Commissioner Weter asked a citizen about a call from Sparta school about using the road and does the school use that. She responded that the school is not currently using the road. Commissioner Childers said obviously the road isn't useless. The emergency vehicles use it if they have to. It isn't about the road, it is about the trash. Kelli Roberts said they have cattle and employees on each side. There are shotgun shells. Commissioner Childers asked if the Roberts call the Sheriff? Mr. Roberts said most roads don't have the long stretch of road that this is going on. A citizen said if it is happening during the day they should have seen the shooting by now. Commissioner Barnett asked about cameras. Richard said they have put up cameras and they haven't seen anyone. Jamin said if you close the road the activity will continue somewhere else. A citizen said they only have one solution and that is to close the road. Commissioner Weter said if you had a neighborhood watch or an organization that was responsible for picking up trash and keeping it clean over a period of time and you had the same complaints we could revisit the issue. John Housley said we need to make a decision today on this particular petition. They can always refile in the future. We can't continue this. It doesn't prevent someone else to file to have the decision appealed. The majority of the trash washes down on our property. Does that give people free reign to clean up property on our place. Do we move fences and put gates. No one is disputing that people are driving on the road. It is the fact that someone is dumping 106 tires., doors, televisions, things that are a significant issue. It is only the portion of the road. Commissioner Weter said you are talking about useless. The emergency services said it is of some use in case there is an unforeseen event on Highway 125. They want the option to travel through there. That is the only exit between Fairview an Oldfield. Jamin said there are dump sites on this property. Commissioner Weter is going to focus on

what emergency services is telling him and that is, they do not want to see the road vacated. He has to give a lot of weight to that. His position is we should leave it open because of the public safety issue. Commissioner Childers said yes. Bill said he sees both sides. They both have pros and cons. He wouldn't want people dumping but he wouldn't want the road closed. He thinks they should try the cameras again. Kelli wants to propose to work with the sheriff and the emergency to work with leaving it open for these purposes with the gates and locks. Commissioner Childers said she is sure there would be, but the regular people that use the road it eliminates them and getting them from point a to b. We have this problem in other areas. A citizen said you don't have to leave it. Ray said we put a dumpster on Swan Cave Road and everyone works there tail off filling it up. Swan Creek is a little more populated.

Commissioner Weter entertained a motion on the question to not support the petition to vacate. Commissioner Childers believes we have not satisfied the requirements of the statute.

Commissioner Weter entertained a motion not to approve the petition to vacate Fairview county road located in section 13, 14 section 26 lane 20 in Christian County MO.

Commissioner Childers asked if the citizens would work to fill a dumpster. Mr. Roberts said it is a county road and you can do what you want. Commissioner Weter said he didn't care if the Roberts drag stuff onto the county road.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Sue Ann Childers, Eastern Commissioner
SECONDER:	Bill Barnett, Western Commissioner
AYES:	Ray Weter, Bill Barnett, Sue Ann Childers

Motion/Vote - 11:00 AM Trevor Croley-Cox Health

Discussion - Insurance Discussion

The meeting was attended by Commission Secretary Cheryl Mitchell, Mr. Trevor Croley, Michelle Brown, Norma & Paula, Lacy Hart, C1 & C2 Riachard & Brent,

The Commission met with Mr. Croley regarding group health insurance discussion.

Mr. Croley informed Commissioners that by next Thursday we will have figures to offer. Today I am going thru some topics relevant to this year and 2016. He addressed the new health ins market coverage form 1210-0149. The national guidelines require that affordable insurance to the employee guidelines are met in the county. The other thing is the national guidelines will implement tax fee for not having insurance. Any employer who offers coverage and by doing so it negates the employee to get tax credit. 1095 form will be submitted from each employee to the government when they file personal taxes. If any goes to get tax credit they will not qualify. Mr. Croley said there should be a 90 day grace period for coverage. Commissioner Weter asked will the 1095 form show if I have coverage for my wife. Mr. Croley said yes, everyone will have to show coverage for the entire family. In 2015 if you had no insurance for part of the year you will still be

fined. November & December is open enrollment. Mr. Croley suggested that the County send the new health insurance form in next pay check.

Mr. Croley discussed about a fully insured plan, see sheet. Fully insured plan you pay premiums set by ins carrier, cost of ins, claims profit, admin, it all fixed cost. Fully insured plan benefits if claims are few or not. See type of group health insurance arrangement he introduced a self funding plan see sheet. With Cox we have a fully funded plan. See how self funding works. Trevor Specific and aggregate coverage's are what we are concerned about. Commissioner Weter asked you will be back with cost options and possibly Mercy options? Mr. Croley said yes. Mr. Croley said possibly next Thursday Oct. 8, 2015 we would like to meet to discuss health coverage premiums. His office will call Cheryl to confirmed date.

Commissioner Weter concluded meeting.

Motion/Vote - 1:00 PM Andrea Swope-SB-40 Board Director

Discussion - CC Links Update

The meeting was attended by Commission Secretary Cheryl Mitchell, Andrea Swope SB-40 Board Director and Reporter Amelia Wigton with Headliner News.

The Commission met with Ms. Swope to discuss the County Commission links update.

Ms. Swope began by stating a Grant was received to purchase handicapped swings to be placed in the Nixa Community Park, and there will be dedication and picnic today.

Updates are as listed:

*There are currently 306 disabled individuals and we have 11 on staff. The SB-40 Board serve individuals in Christian County. *There are 137 individuals with Medicaid. *56 individuals are currently participating in Partnership for Hope which is a county base waiver to serve needs in the community. They are doing a talent show and trick or treat event on October 27, 2015. *Funding documents to the applicant is updated so that the levy funds are spent specifically for individuals who truly qualify. *Age group to qualify is from 3 years of age and up. *More questions are being asked to applicants that we are funding confirming they truly have developmental disabilities. *The Work Shop was established in 1986, they work with people 16 years of age and older who have a disability. *They contract with different businesses ex: air mattress in Nixa. *The Sheltered workshop has their own board. We partner with the workshop to help build them up within the community. *In November 2015 Ms. Swope and a workshop manager will be going to a conference regarding how to build workshop and be integrated in community. *Next year will be the SB40 board 30th anniversary.

Commissioner Childers asked what is the greatest need? Ms. Swope said to have businesses more aware of our workshop. Commissioner Weter asked do you interact with the Chamber of Commerce? Ms. Swope said not yet, something I can check into.

Commissioners thanked Ms. Swope for the update.

III. Adjournment

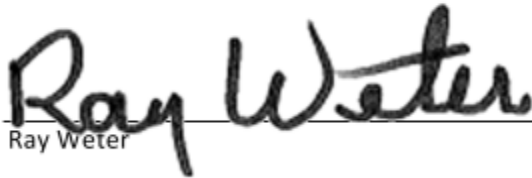
The meeting was closed at 1:20 AM
The Commission is adjourned till Monday, October 05, 2015.

Motion/Vote - 1:20 PM

- Motion to Adjourn

Presiding Commissioner Weter entertained a motion to adjourn.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Sue Ann Childers, Eastern Commissioner
SECONDER:	Bill Barnett, Western Commissioner
AYES:	Ray Weter, Bill Barnett, Sue Ann Childers



Ray Weter

Presiding Commissioner, Ray Weter



Bill Barnett

Western Commissioner, Bill Barnett



Sue Ann Childers

Eastern Commissioner, Sue Ann Childers